

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

EDWARD THOMAS KENNEDY,	:	
Plaintiff,	:	
	:	
v.	:	CIVIL ACTION NO. 18-CV-4071
	:	
COMMONWEALTH OF	:	
PENNSYLVANIA,	:	
Defendant.	:	

ORDER

AND NOW, this 26th day of September, 2018, upon consideration of Plaintiff Edward Kennedy's "Affidavit Accompanying Motion for Permissoin to Appeal *In Forma Pauperis*" which the Court has construed as a Motion to Proceed *In Forma Pauperis* (ECF No. 1), his "Notice of a Constitutional Question," which the Court has construed as a Complaint (ECF No. 2), his "Motion to Order Statute Void" (ECF No. 3), his "Motion for Authorization to File Electronically" (ECF No. 4), and his filing entitled "Take Judicial Notice," (ECF No. 5) it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED**.
2. The Complaint is **DEEMED** filed.
3. The Complaint is **DISMISSED without prejudice** for lack of standing for the reasons stated in the Court's Memorandum.
4. Kennedy is given leave to file an amended complaint within thirty (30) days of the date of this Order. Any amended complaint must state the factual basis for Kennedy's claims and must clearly establish how Kennedy has standing to

pursue his claims. Upon the filing of an amended complaint, the Clerk of Court shall not make service until so **ORDERED**.

5. If Kennedy fails to file an amended complaint, his case may be dismissed without prejudice for failure to prosecute without further notice.

6. Kennedy's "Motion to Order Statute Void" is **DENIED without prejudice** at this time.

7. Kennedy's "Motion for Authorization to File Electronically" is **DENIED without prejudice** at this time.

8. To the extent Kennedy's filing "Take Judicial Notice" requests that the Court accept his filings and assign a judge, the requests are **DENIED as moot**.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.